

**RESCHEDULED MEETING
ENFORCEMENT AND RESOURCE PROTECTION COMMITTEE
NOVEMBER 28, 2006 – 1:00 P.M.
TRIBAL OFFICE BOARDROOM**

1. Call to Order & Roll Call: Meeting was called to order by Chairman Gary Besaw. Roll Call was taken with a quorum present. Members present: Mark Waukau, Bill Kussel, Walter Cox, Lynnette Miller, Barb Nelson (late) and Cara Thunder. Members absent: Joan Delabreau, Bryan Lepscier, Gary Schuettpelz. Also present: Roberta Reiter, Frank McLellan, Warren Warrington, Ami Nacotee and Norbert Sturtevant.

2. Moment of Silence: A moment of silence was observed.

3. Approval of Minutes dated October 31, 2006:

It was noted that Walter not William attended the meeting; Kussel is spelled with only one "L" and Lynnette is spelled with 2 "N".

Motion made by Lynnette Miller to approve the minutes dated October 31, 2006 with corrections. Second was by Walter Cox. All those in favor of the motion signify by saying aye. Motion carried: 5 for, 0 opposed, 0 abstentions and 4 absent (Delabreau, Lepscier, Schuettpelz and Nelson).

4. 79-04 Cigarette Ordinance-Roberta Reiter:

Roberta Reiter – Tax Commissioner is requesting the approval of an amendment to the cigarette ordinance so that vendors can pay up to 48 hours after delivery. This way the vendors can make a profit before they pay. Mrs. Reiter informed the Committee that there is an existing fine of \$500.00 in the event that the vendors do not pay within this time frame.

Mrs. Reiter also informed the Committee that this amendment was a MTL agenda item last year, was tabled, and never brought back for consideration. The reason was that in addition to the adjustment to the payment schedule, a request for the increase of the fine to \$1,000.00 was incorporated. Mrs. Reiter is just requesting the amendment for the delivery payment. The Committee approved the amendment to reflect that payment can be made up to 48 hours after delivery.

Motion made by Lynnette Miller to approve the amendment to Ordinance 79-04-Cigarette Ordinance and send this to the Menominee Tribal Legislature to start the amendment process. Second was by Walter Cox. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions and 3 absent (Delabreau, Lepscier and Schuettpelz).

5. BIA/LES Standards-Internal Affairs:

Mark Waukau presented the BIA/LES standards for committee review and recommendations. The Committee would like the following changes made and brought back for further review: 1) This document needs to reflect the Menominee Tribe's titles/positions to make it our own; 2) This document also needs to address the conflict of interest that arises within our community. Immediate family can be defined by the Tribe's Personnel Policies and Procedures. 3) In sections 2.2.6 and 2.2.11- it will need to state "shall" not "may" as shall is mandatory.

Ami Nacotee will revise this document and send it to the Committee when ready.

6. Proposed Drug Ordinance (#80-17) Amendments-David Wynos:

William Kussel is still working with David Wynos and has stated that the amendments are not ready for presentation. Mr. Kussel is requesting to table this item.

Motion made by Lynnette Miller to table item #6. Second was by Barb Nelson. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions and 3 absent (Delabreau, Lepscier, and Schuettpelz).

7. Clean Up of Clandestine Drug Labs Attorney Report-F. McLellan:

Frank McLellan has found some discrepancies within this document. Page 4-the word grant was struck; Page 5-the Tribe owns Housing, private properties, leases, so this would need to be clarified. Page 6- After the police take care of the investigation, then the clean up occurs. This portion needs to be clarified. Page 7, Article 5- Clean Up Regulations Protocol should be attached within this portion.

When the document is listing key personnel that should be responding to the scene; the language that the Director of these Program's can designate someone to represent them needs to be incorporated in case the Director's are unavailable.

Mr. McLellan informed the Committee that there are 12,484 meth labs nationwide with 55 meth labs in the State of Wisconsin.

Bill Kussel and Frank McLellan will work with Rob Orcott to have this document available for next meeting.

8. Proposed Parking Citation Ordinance:

Motion made by Lynnette Miller to table item # 8 until the material is ready for presentation. Second was by Barb Nelson. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions and 3 absent (Delabreau, Lepscier and Schuettpeiz).

9. Other Business:

It was noted that the agenda item "Review of Monthly Reports" was missing. This will be added to future agenda's.

In the previous minutes, Gerald Dick wanted to know why it took the dog catcher three (3) days to get to South Branch when there was a pit bull in the housing area and the fact that the dog killed a cat. The police will report on this item at the next meeting.

The Enforcement Committee had established arrest protocols for the Tribal Police Department in order to avoid members being arrested by another jurisdiction when being released or during stops which in turn has their names broadcasted over the scanner. There was an incident within the past several days which a tribal member was arrested by Menominee County. It was suggested to wait until the new sheriff takes office next month to find out how the Tribe should proceed.

10. Adjournment:

Motion by Barb Nelson/Cara Thunder to adjourn the meeting.

Meeting adjourned at 2 p.m.

Respectfully submitted by,

Linda Peters, Recorder
Legislative Staff